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Chairman: Mr. Baja ..... (Philippines)

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The meeting was called to order at 11.50 am.

Agenda item 153: Report of the Committee on Relations with the Host Country (A/58/26, Supplement No. 26; A/C.6/58/L.23)

1. **Mr. Mavroyiannis** (Cyprus), introducing the report of the Committee on Relations with the Host Country (A/58/26, Supplement No.26) in his capacity as Chairman of that Committee, said that chapter I of the report contained a brief introduction; chapter II referred to the membership, composition, terms of reference and organization of the work of the Committee; chapter III summarized the Committee's debates and was divided into four sections on, respectively: entry visas issued by the host country; transportation: use of vehicles, parking and related matters; security of missions and safety of their personnel; and host country travel regulations; and chapter IV contained the Committee's recommendations and conclusions. There were also two annexes.

2. The Committee on Relations with the Host Country was an important forum in which representatives of Member States tried to solve the various problems confronting the diplomatic community by means of cooperation and a frank and constructive exchange of views. In the current year, the implementation of the New York Parking Programme for Diplomatic Vehicles, which had entered into force on 1 November 2002, had aroused considerable interest and the Committee intended to review it in detail, as recommended by the Legal Counsel.

3. Speaking as the representative of Cyprus and introducing draft resolution A/C.6/58/L.23 on behalf of the sponsors, he said that in the draft resolution the Sixth Committee endorsed the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 52 of its report (A/58/26, Supplement No. 26) and expressed the Sixth Committee's positions and expectations with regard to the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations. It also referred to privileges and immunities, the visa issue and the lifting of travel controls imposed by the host country on staff of certain missions. Lastly, it welcomed the Committee's decision to conduct a detailed review of the implementation of the Parking Programme for Diplomatic Vehicles. He hoped that the draft resolution would be adopted by consensus.

4. **Ms. Devadason** (Malaysia) said that the Committee on Relations with the Host Country was an important mechanism for solving problems related to the functioning of Member States' missions and for enabling their representatives to perform their functions without impediment. The constructive exchange of views in that regard and the transparency of the Committee's debates had been essential to the positive results achieved thus far.

5. Her delegation was gratified that the United States was committed to fulfilling its obligation as host country, under the Convention on the Privileges and Immunities of the United Nations and the Host Country Agreement, to accord full facilities for the performance of the functions of missions accredited to the United Nations. While it recognized the right of the host country to expect members of the diplomatic community not to abuse their privileges and immunities, it trusted that the scope of the privileges and immunities recognized by international law would not be undermined.

6. Some delegations were encountering problems with entry visas and travel controls. The host country had a right to control entry into its territory and to adopt whatever security measures it deemed necessary, but an attempt must be made to strike a balance so that that right did not jeopardize delegations' participation in the work of the United Nations.

7. Concerning the Parking Programme for Diplomatic Vehicles, she welcomed the initiative by the United States Mission and New York City to do what they could to solve the problems arising in that regard. Unfortunately, the Programme's implementation the previous year showed that its provisions were not completely satisfactory and that some shortcomings must be corrected. She hoped that the Committee would review the Programme in detail to ensure that it was applied in a fair, non-discriminatory and effective manner and in keeping with international law. Lastly, she supported fully the recommendations and conclusions in paragraph 52 of the Committee's report.

8. **Mr. Nesi** (Italy), speaking on behalf of the European Union, the accession countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania,

Malta, Poland, Slovakia and Slovenia, the associate countries Bulgaria and Turkey and the European Free Trade Area countries members of the European Economic Area Iceland and Norway, expressed appreciation for the work of the Committee on Relations with the Host Country, which had continued to fulfil its terms of reference, and for the host country, whose readiness to review and solve any problems that arose had been essential to improved understanding and to meeting the needs of diplomatic missions in New York.

9. In 2003, the Committee had examined a number of problems related to entry visas, transportation, the security of missions and the safety of their personnel and the host country's travel regulations. In particular, many delegations had expressed concern at the practical difficulties encountered in implementing the Parking Programme for Diplomatic Vehicles adopted in 2002. The European Union recognized that the host country had tried to improve the Programme's implementation, insisted on the need for careful monitoring and recalled that the host country had given ass ances that the Programme would be revised to resolve the difficulties.

10. The European Union understood the host country's security interests but considered it important that entry visas for the representatives of Member States should be issued on a timely basis and that the matter of the travel controls imposed on some missions should be resolved. At the same time, it was grateful to the host country for the measures taken since the 11 September 2001 terrorist attacks to protect the security of missions accredited to the United Nations and the safety of their personnel, and it offered its full cooperation in that regard.

11. Lastly, the European Union fully endorsed the Committee's recommendations, particularly that in paragraph 52(b) of the report, and trusted in the assurances given by the host country that it would take all necessary measures to guarantee the smooth functioning of permanent missions in a spirit of cooperation and respect.

12. **Mr. Requeijo** (Cuba) said that the conclusions and recommendations in the report of the Committee on Relations with the Host Country dealt with aspects that were especially sensitive for the effective functioning of permanent missions to the United Nations and their personnel. Those included the travel controls imposed by the host country on staff of certain missions and staff members of the Secretariat of certain nationalities, as well as the need for the host country to issue entry visas to the representatives of Member States in a timely manner. However, the host country had arbitrarily refused to grant the travel authorization requested to enable the Chief of the Cuban Special Interests Section in Washington, D.C., to take part in the fifty-eighth session of the General Assembly and had also denied authorizations to other Cuban diplomats to travel outside the 25-mile radius to attend meetings related to the United Nations or organized by missions accredited to the United Nations on issues on the Organization's agenda. That practice had left Cuban officials at a disadvantage in the negotiation and adoption of documents.

13. His delegation strongly rejected the host country's practice, incompatible with the Headquarters Agreement, of using the late issuance of visas or denying travel authorizations as a form of interference in the composition of the delegations appointed by Member States to take part in United Nations meetings. The imposition of travel controls on Cuban diplomats and international civil servants was unjust, selective, discriminatory and politically motivated, in addition to contravening the customary norms of diplomatic law. He therefore urged the host country to reconsider its position in that regard.

14. He welcomed the forthcoming review of the Parking Programme for Diplomatic Vehicles to ensure its proper implementation in a manner that was fair, non-discriminatory, effective and consistent with international law. The Programme contained controversial provisions whose application had imposed an additional financial and bureaucratic burden on missions and their personnel. The Committee on Relations with the Host Country should establish a working group open to all interested delegations to conduct the review. In conclusion, it was important that the Committee should advise the host country on an ongoing basis on issues arising in connection with the Headquarters Agreement and the Convention on the Privileges and Immunities of the United Nations.

15. **Mr. Kanu** (Sierra Leone) expressed satisfaction with the procedures used by the host country the previous year to accommodate the concerns of diplomatic missions and representatives of Member States accredited to the United Nations. Some

problems remained, but his delegation planned to hold bilateral consultations with the host country in order to solve them.

16. **Mr. Rostand** (United States of America) said that it was an honour for his country to host the United Nations. Under international law, such an honour brought with it many obligations, as set forth in treaties which the United States had always observed and remained committed to observing. The Committee on Relations with the Host Country was a valuable forum for discussing the whole range of issues arising from the presence of a broad, diverse and dynamic diplomatic community in one of the world's largest, most diverse and most dynamic cities. The fact that delegations of States that were not members of the Committee were able to participate fully in its work had made its deliberations more representative, while its small but representative membership had served to make its work effective, given that it was the only host country committee, among those of the various countries with United Nations offices, to report to the General Assembly.

17. One fundamental issue on which the Committee's deliberations had focused in the past year was the new Parking Programme for Diplomatic Vehicles, which had proved very successful. The number of parking fines imposed in 2003 on members of the diplomatic and consular corps living in New York had been a small fraction of those imposed in 2002 and the traffic congestion caused by illegal parking in the vicinity of the United Nations had fallen significantly, making life easier for residents. Many of the parking spaces reserved for vehicles with diplomatic and consular plates were empty, even during working hours, showing that the pre-existing congestion had been due to an excessive accumulation of such vehicles, all competing for one of the inevitably limited spaces available. Almost 99 per cent of vehicles with diplomatic plates were now complying with the Parking Programme, a figure of which everyone could be proud. However, a small number of diplomatic missions had said that they had had problems with some aspects of the Programme's implementation. The United States Mission was working with the New York City authorities to ensure that the Programme functioned as planned. It also pledged to fulfil all its obligations under international law with respect to the United Nations community, including those related to the parking and registration of vehicles, just as it hoped that all members of the international community would abide by local laws. According to the United Nations Legal Counsel, the text of the Parking Programme for Diplomatic Vehicles was in keeping with international law and practice and the United States would ensure that its application remained consistent therewith.

18. In 2002, some members of the Committee had raised objections to the controls imposed on the unofficial travel of members of certain missions. Those controls did not violate international law. Under the Headquarters Agreement, the United States was required to facilitate, and did facilitate, the unrestricted access of members of missions and delegations to the Headquarters district. It was not required to allow such persons to travel to other parts of the country, except on official United Nations travel, which was not affected by the controls in question.

19. **The Chairman** said that, if he heard no objections, he would take it that the Sixth Committee wished to adopt draft resolution A/C.6/58/L.23 without a vote.

20. *It was so decided.*

Agenda item 156: Measures to eliminate international terrorism (*continued*) (A/C.6/58/L.19)

21. **The Chairman** announced that draft resolution A/C.6/58/L.19 had been revised to insert in paragraph 16 the dates for the next session of the Ad Hoc Committee, which would take place from 28 June to 2 July 2004.

22. **Mr. Mikulka** (Secretary of the Sixth Committee), explaining the programme budget implications of draft resolution A/C.6/58/L.19, said that according to paragraph 16 the Ad Hoc Committee would hold two meetings a day (six in all) with interpretation into the six official languages. Twenty-five pages of pre-session documentation, 60 pages of in-session documentation and 40 pages of post-session documentation would be required in the six official languages. The total cost of the corresponding conference services was estimated at $216,500 (at 2004-2005 values). Since the session was already included in the calendar of conferences and meetings for the 2004-2005 biennium, no additional financial appropriations would be required.

23. **The Chairman** said that, if he heard no objections, he would take it that the Sixth Committee

wished to adopt draft resolution A/C.6/58/L.19, as orally revised, without a vote.

24. *It was so decided.*

The meeting rose at 12.30 p.m.